INDEX

TO THE CONVEYANCER, VOLUMES 21–26

ACCUMULATIONS,
advancement, *25*, 163
beyond statutory period, *21*, 293; *25*, 273
during minority of grandchildren, *22*, 165
perpetuities, *21*, 295
power of advancement, *24*, 240
ACKNOWLEDGMENT,
for production, *22*, **780**; *23*, 115; *24*, **775**
ADEMPTION,
bequest of shares, *21*, 73
election or, *21*, 70
ADMINISTRATION OF ASSETS,
marshalling, *24*, 76
ADMINISTRATION OF ESTATES,
charge on property specifically devised, *26*, 315
conflict of laws, *26*, 154
hotchpot, *26*, 239
marshalling, *26*, 75
ADMINISTRATORS,
pendente lite, *22*, 304
postal applications for grant, *23*, 242
ADOPTION,
wills, conflict of laws, *21*, 237, 391
ADVANCEMENT,
creation of sub-trusts, *23*, 27
delegation by trustees, *23*, 396, 423
estate duty, *25*, 364
husband and wife, *23*, 54, 221
inquiry as to use by beneficiary, *22*, 144
intestacy, *21*, 74, 309
perpetuities, *22*, 300
power of, *22*, 413, **740**, **774**; *23*, **676**; *24*, 240; *25*, 163, 240, 353
power to appoint investments, *22*, **755**
restriction, *23*, **682**
ADVERTISEMENTS,
licence to display, *23*, 142
rating, *25*, 215
AGENCY,
commission, *26*, 474
common, *23*, 305
deposit paid to agent, *23*, 220
AGREEMENT,
between contractor and sub-contractor, *22*, **686**
between shareholders, *22*, **783**
for sale by tender, *25*, **761**
for sale with contract to build house, *21*, **651**
AGREEMENT—*cont.*
for servicing machinery, *21*, **719**
not to sell except with vacant possession, *22*, **663**
price increased for planning permission, *26*, **749**, **751**, **753**
quarrying, *22*, **723**
sale of "know-how," *26*, 366, 410, **727**
AGRICULTURAL HOLDINGS,
approval by Minister, *24*, 362
arbitration, *24*, 476
assignment, *25*, 360
compensation, notice of intention to claim, *24*, 372
crops left on holding, *25*, 244
death of tenant, *24*, 367
fixtures, removal, *24*, 369
good estate management, *24*, 367, 434
grazing, *25*, 441
grazing agreement, *21*, 310; *24*, 361
improvements, *24*, 193
notice to quit, *21*, 95; *22*, 305, 306; *24*, 26, 155
notice to remedy breach, *25*, 81
rent, *24*, 179
rent restriction, *25*, 513
repairs, *21*, 239; *23*, 140; *24*, 288
security of tenure, *24*, 29, 130
severance of reversion, *24*, 468
sub-tenants, *24*, 28, 139
surrender, *24*, 371; *25*, **651**
tenancy for fixed term, *24*, 359
tenancy for 1½ years, *21*, **685**; *24*, 77, 363, 520
tenancy from year to year, *21*, **683**
AMERICAN BAR ASSOCIATION,
convention, *21*, 325
ANCIENT DEMESNE,
tenure, *24*, 429
ANIMALS,
trusts for, *24*, 281
ANNUITIES,
continuing charge, *26*, 236
APPOINTMENT OF NEW TRUSTEES,
after completion of administration, *21*, 390
APPROPRIATION,
deed of, *22*, **745**
power of, *22*, **754**; *23*, **674**
ARBITRATION,
landlord and tenant, *23*, **696**
ARCHITECTS,
new streets, *22*, 120

[*Figures in italics indicate volume numbers.*]
[*Black figures indicate Precedents.*]

ARMED FORCES,
allotments, *23*, 54
soldier's will, *22*, 302
ASSENT,
condition making conclusive, *23*, **759**
gift of business, *23*, **662**
implied, *21*, 167
infant's share, *22*, **749**
legal estate acquired after death of testator, *25*, 490
validity, *25*, 237
ASSIGNMENT,
covenant as to, *21*, **749**; *23*, 226, **694**
of debt at less than face value, *25*, **755**
of lease charged with entire rent, *25*, **713**
of part of property in lease, *25*, **677**
priorities, *23*, 56
split leases, *25*, 397
ASSOCIATIONS,
large, *26*, 253

BAHAMAS,
settlement, *23*, 198, **666**
BANKRUPTCY,
compromise, *22*, **667**
conveyance by joint tenants, *24*, **651**
conveyance to defraud, *23*, 134
discretionary trusts, *21*, 61
protective trusts, *21*, 110
BILLS OF EXCHANGE,
endorsement, *21*, 345
BILLS OF LADING,
clean bill, *22*, 159
BOOK DEBTS,
assignment, *23*, **772**
BORROWING,
control, *22*, 189, 327
BOUNDARIES,
line of hedge, *21*, 303
projections, *21*, 164
registered land, *21*, 162, 477
BUILDING CONTRACTS,
insurance, *22*, 325
BUILDING LEASE,
modification, *25*, **687**, **691**
standard clauses, *22*, **760**
BUILDING SOCIETIES,
appeals, *24*, 500
Building Societies Act, 1960...*24*, 494
exchequer advances, *23*, 298
guarantees, *24*, 504
investment powers, *24*, 503
limits of advances, *24*, 496
loans, *24*, 3
notices, *23*, 410
powers of registrar, *24*, 502
protection of depositors, *24*, 498
trustee status, *23*, 297
valuations, *24*, 505

CAPITAL AND INCOME,
apportionment, *22*, **752**; *23*, **668**
CAPITAL AND INCOME—*cont.*
bonus shares, *26*, 476
planning compensation, *21*, 388; *22*, 76; *25*, 367
CAPITAL MONEY,
division, *24*, **769**
CARAVANS,
licence to park, *21*, **707**
planning control, *25*, 16
CHANCERY DIVISION,
law and equity, *22*, 251
CHARITIES,
accounts, *24*, 404
agreement for sale, *22*, **731**
alphabet reform, *21*, 235
central authorities, *24*, 396
Charities Act, 1960...*24*, 88, 390
charters, *24*, 410
children's home, *23*, 59
common good, *24*, 419
dealings with property, *24*, 416
determinable gifts, *25*, 56
disaster fund, *22*, 145
education, *21*, 72; *26*, 395
executors to decide identity, *24*, **669**
exempt, *24*, 393
gifts to, *24*, 403
gifts to holder of office, *24*, 306
gifts to non-charitable bodies, *24*, 278
hospital, *26*, 74, 312
imperfect trusts, *25*, 164, 511
impracticability, *22*, 147
inflation, *22*, 147
inquiries, *24*, 404
institution for juveniles, *22*, 468
investment clause, *23*, 59; *24*, 244
local authorities, *24*, 405
merger, *21*, 165
miners' welfare, *23*, 18
mortmain, *24*, 421
music, *21*, 234
non-existent institution, *21*, 236
nurses, *22*, **708**; *23*, 224
official custodian, *24*, 411
perpetual gift of income, *24*, 153
prerogative, *23*, 479
proceedings, *24*, 415
rating, *24*, 74
recreation, *23*, 15, 383
register, *24*, 399; *26*, 407
registration, *25*, 263; *26*, 166
resulting trust, *22*, 145
sale by synagogue, *26*, 72
schemes, *24*, 411
severability, *22*, 391
social welfare, *23*, 365
stamp duty, *22*, 219
taxation, *24*, 394
trade union members, *25*, 439
trust deed, *23*, **743**, **745**
uncertainty, *24*, 73, 519
unidentifiable donors, *24*, 409
validation, *26*, 200, 396
zoological society, *23*, 58

[*Figures in italics indicate volume numbers.*]
[*Black figures indicate Precedents.*]

CHEQUES,
endorsement, *21*, 345, 489
CLEAN AIR,
Crown, *22*, 217
furnaces, *22*, 213
height of chimneys, *22*, 213
London, *22*, 216
nuisance, *22*, 214
responsibility, *22*, 215
smoke control, *22*, 210
COLLEGE OF LAW,
formation, *26*, 90
COMMISSION,
agreement for employment, *25*, **750**
estate agents, *22*, 323; *23*, 305; *24*, 321
COMMONS,
Lands Clauses Acts, *23*, 266
COMMORIENTES,
clauses in will, *22*, 1
estate duty, *22*, 310
COMPANIES,
agreement between shareholders, *21*, **721**
agreement for introduction of new director, *25*, **769**
agreement for protection of directors, *23*, **730**; *25*, **766**
agreement to sell shares, *25*, **655**
alternate directors, *21*, 381, **746**
appointment of receiver, *24*, 428
assignment of policy, *23*, **765**
bequest, *22*, 231
bonus shares, *22*, 398, 458
charging order, *26*, 225, 391
class rights, *22*, 126, 168; *23*, 249, 255
contracts, *21*, 465
co-operative shareholding agreement, *23*, **727**
covenant to create, *22*, **669**
directors, conflict of interest and duty, *24*, 170
director's remuneration, *23*, **679**
incidence of capital reduction, *23*, 244
mortgage of shares, *21*, **712**; *22*, **679**, **684**; *23*, **761**; *25*, **734**
mortgage, registration, *22*, 55
oppression, *22*, 435; *23*, 255
option to purchase, *22*, **783**; *23*, **715**
overseas trade corporations, *21*, 370
power of attorney, *26*, **681**
pre-emptive rights, *22*, 315; *23*, 42, 242
registered land, *26*, 408
registry, *26*, 251
residence, *22*, 397; *24*, 158
retirement benefit, *25*, 1, 91
rule in *Foss* v. *Harbottle*, *25*, 44
searches, *23*, 118
service agreement, *21*, **752**
shares, nature of, *21*, 433
shares, partition, *24*, **737**
terms of issue, *22*, 282
COMPENSATION,
apportionment, *25*, 367
business tenants, *23*, 11
compulsory purchase, *21*, 393; *23*, 87, 336
derequisitioning, *22*, 297
highways, *23*, 454
injurious affection, *25*, 223, 521
land drainage, *22*, 65
Lands Clauses Acts, *23*, 265
town and country planning, *22*, 178
unfit houses, *22*, 264
COMPLETION,
date for, *25*, 350
notice to complete, *25*, 260
COMPULSORY PURCHASE,
abandonment, *21*, 394
compensation, *21*, 393; *23*, 87, 336
equivalent reinstatement, *26*, 425
fraud, *21*, 455
highways, *23*, 454
invalid order, *21*, 248
landlord and tenant, *25*, 83
Lands Clauses Acts, *23*, 260
long-standing notices to treat, *23*, 95, 339
CONFLICT OF LAWS,
administration of estates, *26*, 154
adoption, *21*, 237, 391
community of property, *24*, 167; *26*, 313
power of advancement, *22*, 144
power of appointment, *21*, 233; *26*, 69
wills, *25*, 81, 243
CONTRACT,
company, *21*, 465
compensation on derequisition, *22*, 297
completion, *23*, 302; *24*, 147, 149
condition making assent conclusive, *23*, **759**
condition precedent, *24*, 147
corporations, *24*, 337
delay in exchanging, *23*, 411
development of land, *23*, **733**
estimate, payment for, *21*, 396
goods or land, *22*, 137
illegality, *26*, 154
intending personal representatives, *22*, 83
intention to create legal relationship, *24*, 150
joinder of documents, *22*, 275
joint, *25*, 5
memorandum, *22*, 61
mental incapacity, *25*, 319
national conditions, *23*, 301
notice to complete, *25*, 260
parish council, *22*, **731**
price not stated, *25*, 238
registered land, *22*, 18, 22
rescission, *23*, 394
title of vendor, *24*, 238

[*Figures in italics indicate volume numbers.*]
[*Black figures indicate Precedents.*]

CONTRACT OF SALE,
memorandum, *26*, 149
CONVERSION,
contract for sale of land, *24*, 47
CONVEYANCE,
by joint tenants, one being bankrupt, *24*, **651**
by Transport Commission, *26*, **721**
Lands Clauses Acts, *23*, 265
lock-up garage, *23*, **708**
price increased for planning permission, *26*, **755**
property held by two sets of trustees, *24*, **772**
property held for enlarged term, *24*, **776**
recital of unincumbered seisin, *22*, 140
stamp duty, *22*, 167, 218, 244
to facilitate negotiations with local authority, *25*, **700**
to son on marriage, *25*, **685**
uncompleted sales subject to mortgage, *23*, 85, **654**
where assignment to tenants in common, *25*, **747**
COPIES,
drafts, *25*, 369
COPYHOLDS,
Lands Clauses Acts, *23*, 266
COPYRIGHT,
assignment, *21*, 33
breach of confidence, *21*, 47
broadcasts, *21*, 46
conditions, *21*, 27
Copyright Act, 1956...*21*, 25, 41
Crown, *21*, 45
dramatic and musical performers, *21*, 45
education, *21*, 46
exceptions, *21*, 34
false attribution, *21*, 46
income tax, *25*, 85
industrial designs, *21*, 43
infringement, *21*, 34, 37
licences, *21*, 33
ownership, *21*, 31
rights comprised in, *21*, 30
term, *21*, 29
tribunal, *21*, 38
CORPORATIONS,
contracts, *24*, 337
COSTS,
administration, *23*, 409
leases, *22*, 321
local authorities, *22*, 84
lump sum bill, *22*, 82
trustees, *22*, 228
COUNTY COURT,
mortgages, *21*, 385
COVENANT,
enlargement of leaseholds, *22*, 112
for quiet enjoyment, *22*, 231, **696**, **706**, **767**; *23*, **694**; *24*, 435
for title, *26*, 45
COVENANT—*cont.*
not to assign, *21*, **749**; *23*, 226, **694**
not to build, *22*, **699**
not to carry on trade, *22*, **765**
not to cause nuisance, *22*, **700**, **765**
not to hang washing, *22*, **699**
notice of breach, *24*, 78
running with land, *21*, 160
to build, *22*, **763**
to contribute towards costs, *22*, **700**
to convert house, *22*, **701**
to create company, *22*, **669**
to fence, *22*, **762**
to indemnify mortgagee, *22*, **682**
to insure, *22*, **695**
to keep underlessee indemnified, *22*, **767**
to lay drains, *22*, **764**
to maintain common parts, *22*, **696**
to maintain main walls, *22*, **700**
to make up roads, *22*, **764**
to observe covenants in head-lease, *22*, **767**
to pay calls, *22*, **682**
to pay costs of notices, *22*, **766**
to pay rates and taxes, *22*, **762**
to pay rent, *22*, **762**
to permit entry, *22*, **765**
to permit shares to be revested, *22*, **682**
to procure covenants from successors, *22*, **700**
to repay loan, *22*, **680**, **684**
to supply hot water and maintain lift, *22*, **696**
to vote as directed, *22*, **682**
to yield up, *22*, **767**
waiver, *22*, 393
CROWN,
lease, *24*, 435
smoke abatement, *22*, 217
CUSTODIAN TRUSTEE,
office of, *24*, 196
CUSTOMS AND EXCISE,
Finance Act, 1957...*21*, 356
Finance Act, 1958...*22*, 348
Finance Act, 1960...*24*, 340

DAMAGES,
fatal accidents, *22*, 466
DEEDS,
delivery, *24*, 428
forgery, *23*, 412, 419
missing, *22*, **788**
DEMOLITION ORDERS,
homelessness caused by, *25*, 450
DEPOSIT,
loss of, *22*, 258; *23*, 84, 154
payment to agent, *23*, 220
DISCLAIMER,
forfeiture, *23*, 140, 287
power of, *22*, **757**; *23*, **678**

[*Figures in italics indicate volume numbers.*]
[*Black figures indicate Precedents.*]

DISCOVERY,
landlord and tenant, *23*, 483; *24*, 325, 326
DISCRETIONARY TRUSTS,
assignment, *21*, 61
bankruptcy, *21*, 61
bare powers and powers in nature of trust, *21*, 56
contractual rights, *21*, 57
control by court, *21*, 58
nature and purposes, *21*, 55
perpetuities, *21*, 63; *22*, 145
restriction, *23*, **681**
statutory, *21*, 63
DIVORCE AND MATRIMONIAL CAUSES,
income tax, *21*, 365
maintenance agreements, *21*, 348
matrimonial home, *21*, 125
settlement of wife's property, *25*, 249, 352, 463
variation of settlements, *23*, 308, 310; *24*, 322; *25*, 161, 435
DRAINAGE AGREEMENT,
new buildings, *26*, **710**
DRAINS,
damage through non-maintenance, *23*, 476
drainage agreement, *23*, **698**
revocability of licence, *23*, 393

EASEMENTS,
drainage agreement, *23*, **698**
fire-escape, *23*, 2
light, *23*, 323; *24*, 424
ownership, *22*, 33
perpetuities, *25*, 351, 415; *26*, 3
registered land, *21*, 471; *22*, 27; *26*, 226
valuation, *23*, 214
way, *25*, 160
wayleave, *23*, 477
ECCLESIASTICAL LAW,
faculty, *26*, 307
option, *24*, 68
EDUCATION,
charities, *21*, 72; *26*, 395
ELECTION,
gift of property in which testatrix had life interest, *21*, 69
subsequent disposition *inter vivos*, *21*, 70, 304
Wills Act, 1837...*21*, 152
ELECTRICITY,
valuation, *23*, 219
wayleaves, *23*, 477
ENLARGEMENT,
conditions, *22*, 101
conveyancing, *22*, 117
deed of enlargement, *22*, **790**
effect of, *22*, 106
enforceability of covenants, *22*, 112
incidents of term, *22*, 112
leaseholds, *22*, 81
registered land, *22*, 118
ENLARGEMENT—*cont.*
restrictions on alienation, *22*, 114
root of title, *22*, 117
stamp duty, *22*, 118
termination of interest, *22*, 116
ENTAIL,
contingent interest, *26*, 311
EQUITABLE INTERESTS,
mere equities, *21*, 195
ESCROW,
delivery as, *25*, 89, 126, 159, 257, 452
ESTATE AGENTS,
commission, *22*, 323; *23*, 305; *24*, 321
registration, *24*, 3
ESTATE DUTY,
advancement, *25*, 364
assent where beneficiary to bear, *23*, **662**
commorientes, *22*, 310
contingent reversionary interest, *24*, 329
continuing annuity, *23*, 234
extra-statutory concessions, *23*, 82
Finance Act, 1957...*21*, 366
Finance Act, 1958...*22*, 364
Finance Act, 1959...*23*, 418
Finance Act, 1960...*24*, 354
foreign land, *23*, 232
foreign shares, *23*, 63
gift, disclaimer, *21*, 487
gift *inter vivos*, *21*, 366; *22*, 241
gift to holder of office, *22*, 309; *24*, 160
gift within five years, *21*, 5, 83
hotchpot on intestacy, *25*, 486
insurance policy, *21*, 246; *22*, 74, 366
interest in expectancy, *22*, 243, 367, 400
marriage settlement, *26*, 323
misrepresentation, *22*, 297
partnership, *25*, 153; *26*, 291
partnership share, *24*, 440
property outside Great Britain, *25*, 84
quick succession, *22*, 369
renunciation of bonus shares, *22*, 398
sale of land, *21*, 65
settlement on children, *22*, **737**
surrender of life interest, *22*, 398
surviving spouse, *26*, 401
survivorship, *24*, 161
valuation of assets, *23*, 70, 406
ESTOPPEL,
advertising sign, *21*, 312
mortgage, *25*, 77
recital, *22*, 140
town and country planning, *25*, 515
EXCHANGE,
deed of exchange, *22*, **777**
EXECUTORS,
appointment of trustees after completion of administration, *21*, 390

[*Figures in italics indicate volume numbers.*]
[***Black figures indicate Precedents.***]

EXECUTORS—*cont.*
cumulative or substitutional legacy, *21*, 391
dependants' claim under statute not assets, *21*, 481
legacies charged on lapsed share, *23*, 139
of tenant for life, sale by, *23*, 360; *24*, 43, 214
partial intestacy, *23*, 400
postal applications for grant, *23*, 242
revocation of grant, *21*, 75
trust corporation, *22*, 469

FACTORIES,
rating, *25*, 214
FAMILY ARRANGEMENT,
conversion of contingent interests, *24*, **666**
deed subject to obligation to devise, *21*, **749**
permission for unauthorised mortgage, *22*, **688**
release between members of company, *21*, **659**
FATAL ACCIDENTS,
damages, *22*, 466
insurance, *22*, 466
FINANCE ACT, 1957,
effect of, *21*, 356
FINANCE ACT, 1958,
effect of, *22*, 348
FINANCE ACT, 1959,
effect of, *23*, 414
FINANCE ACT, 1960,
effect of, *24*, 340; *25*, 502
FINANCE ACT, 1962,
effect of, *26*, 333
FIXTURES,
refrigerator, *22*, 231
removal, *24*, 369
FLATS,
agreement for sale for conversion, *22*, **698**
entry of easement on register, *21*, 471
external walls, *26*, 479
income tax, *21*, 4, 80, 179, 364
lease, *21*, **671**; *22*, **695**; *23*, **689**; *24*, 450; *25*, **764**
maintenance, *26*, 348, **660, 723**
partition, *23*, **749**
rating, *24*, 331; *25*, 3, 207
restrictive covenants, *21*, 6
road charges, *21*, 178, 256
sale, *24*, 450, 484; *25*, **720**
support, *26*, 210
surrender, *26*, **679**
transfer, *24*, **743**
FORESTRY,
lease, *21*, 259, **698**
FORFEITURE,
non-payment of rent, *25*, 363
FORGERY,
prevention, *23*, 412, 429

FRAUD,
compulsory purchase, *21*, 455
conveyance, *23*, 134
FRIENDLY SOCIETIES,
registered land, *21*, 473
FURNISHED HOUSES,
premium, *23*, 323
rent recoverable, *23*, 227

GARAGES,
conveyance, *23*, **708**
GAS,
redevelopment, *21*, 394
GIFTS,
ante-nuptial settlement, *22*, 229
disclaimer, *21*, 487
investigation of title, *21*, 402
non-charitable bodies, *24*, 278
within five years, *21*, 5, 83
GRANT,
footings on adjoining land, *26*, **698**
GUARANTEE,
new lease, *25*, 246

HIGHWAYS,
access, *23*, 476
acquisition of land, *23*, 454
adjoining landowners, *24*, 459
bridges and ferries, *23*, 168
building lines, *23*, 446
buildings in streets, *23*, 445
classification, *23*, 163
controls over adjoining land, *23*, 445
creation, *23*, 272, 276
diversion, *23*, 279
drains, *25*, 159
financial provisions, *23*, 171
highway authorities, *23*, 165; *24*, 465
improvement, *23*, 351, 447
maintenance, *23*, 346
new streets, *21*, 346; *22*, 120; *23*, 449
nuisance, *23*, 355
ownership, *23*, 169
private street works, *21*, 416; *23*, 306, 455
public right of way, *21*, 232, 302; *24*, 468
public utilities street works, *23*, 453
redevelopment, gas mains, *21*, 394
repair, *21*, 232; *22*, 64
restriction of ribbon development, *23*, 452
rights in, *24*, 454
road charges, flats, *21*, 178, 256
special roads, *23*, 278
statutory undertakers, *24*, 459
stopping up, *23*, 279
street refuge, *25*, 239
town and country planning, *23*, 452
trunk roads, *23*, 278
HIRE-PURCHASE,
discounting, *24*, **712**

[*Figures in italics indicate volume numbers.*]
[*Black figures indicate Precedents.*]

HORTICULTURE,
Horticulture Act, 1960...*24*, 169
HOSPITALS,
charity, *26*, 74, 312
trust for prize fund for nurses, *22*, **708**
HOTCHPOT,
intestacy, *25*, 468
HOUSING,
associations, *23*, 3
business premises, *22*, 272
compensation for unfit houses, *22*, 264
discretionary payments, *22*, 273
improvement grants, *23*, 298
mortgaged property, *22*, 269
payments to owner-occupiers, *22*, 269
recovery of possession, *26*, 161
removal expenses, *22*, 274
repairs, *25*, 92
review increasing rent, *22*, 232
underground rooms, *23*, 243
well-maintained payments, *22*, 265
HOWE *v.* DARTMOUTH, RULE IN,
sale of business, *25*, 359
HUSBAND AND WIFE,
advancement, *22*, 225; *23*, 221
insurance, *25*, 454
maintenance agreements, *21*, 348
maintenance, income tax, *21*, 365
matrimonial home, *21*, 125; *22*, 141; *23*, 54, 136, 305, 479; *25*, 434, 508; *26*, 469
title deeds, *22*, 226
tort, *26*, 406
wedding presents, *24*, 239

ILLEGALITY,
planning permission, *25*, 82
INCOME TAX,
assessment on leases, *22*, 411
benefit to employee, *22*, 154, 396; *24*, 158, 251, 441
bonus shares, *22*, 458
child allowance, *21*, 360; *25*, 366
company, residence, *22*, 397
copyright, *25*, 85
covenant to pay Schedule A tax, *23*, **692**
death of another, *22*, 72; *23*, 69
deduction of tax, *25*, 248
deductions from emoluments, *22*, 353
deposit account, *21*, 313
director, payments after death, *22*, 308
discretionary settlements, *22*, 360
earned income, *21*, 359
educational trust, *25*, 356
employees' shares, *26*, 411
excess rents, *25*, 86, 248
expenses of management, *21*, 484
Finance Act, 1957...*21*, 357
Finance Act, 1958...*22*, 349
Finance Act, 1959...*23*, 414
Finance Act, 1960...*24*, 341
INCOME TAX—*cont.*
flats, *21*, 4, 80, 179, 364
free of tax payments, *23*, 404
gift by shareholders, *21*, 81, 315
indemnity against surtax direction, *25*, **754**
investment allowances, *23*, 416
long lease, *24*, 251
loss or guarantee, *26*, 400
maintenance payments, *21*, 365; *25*, 221
managing director, share option, *22*, 240
old age relief, *21*, 359, 361
overseas trade corporations, *21*, **378**; *23*, 416
penalty, *23*, 68, 403
personal reliefs, *22*, 351
plant and machinery, *26*, 332
post-war credits, *23*, 243
premiums for pensions, *21*, 485
rent, *26*, 85
repairs, *21*, 173
residence of company, *24*, 158
retirement benefit, *25*, 1, 91
revocable and determinable settlements, *22*, 357
reward for services, *23*, 67
sale between associated companies, *25*, 247
sale of plant, *25*, 173
sale of shares, *25*, 173
settlement, *25*, 171; *26*, 322
settlement on children, *22*, 354, **737**; *24*, **688**
subvention payments, *25*, 365
tax planning for solicitors, *22*, 250
transfer to non-resident, *22*, 153
valuation, *23*, 218
work in progress, *24*, 330
INFANTS,
courts' power to deal with interests, *21*, 448
deed of covenant for, *21*, 325
income tax, child allowance, *21*, 360
interests postponed after majority, *21*, 293
receipts, *23*, **679**
right to receive property, *21*, 72
service agreement, *21*, **734**
settlement, surtax, *21*, 244, 314
transfer for benefit of, *25*, **717**
INSURANCE,
building contracts, *22*, 325
covenant as to, *22*, **695**; *23*, **694**, **695**
death duties, *21*, 246
declaration of trust, *23*, **659**
fatal accidents, *22*, 466
flats, *24*, 451
husband and wife, *25*, 454
settlement, *26*, **717**
spread of fire, *21*, 92
INTESTACY,
issue of brothers and sisters, *22*, 3, 66

INVESTMENT,
charities, *24*, 244, 394
clause, *21*, 165; *22*, 467, **741**, **751**; *23*, 55, 59, **668**
trustee, *22*, 325; *25*, 451

JOINT TENANCY,
statutory declaration that not severed, *21*, **691**

LAND,
meaning of, in administrative statutes, *21*, 141
price of, *24*, 449
LAND CHARGES,
local, *25*, 267
mortgages, *22*, 54
notice and knowledge, *23*, 129
registered land, *23*, 117
searches, *21*, 89
time for, *21*, 403
LAND DRAINAGE,
deposit of materials on banks, *22*, 65
LANDLORD AND TENANT,
consent to assignment, *23*, 65
covenant not to assign, *21*, 239
dangerous premises, *21*, 343
discovery, *23*, 483; *24*, 325
fair wear and tear, *22*, 70, 92, 236; *23*, 63
forfeiture, *21*, 79; *23*, 140, 287
implied obligation as to condition of premises, *25*, 184
improvements, *22*, 264, **729**
notice to quit, *21*, 260, **729**; *23*, 140; *25*, 83
order for possession, *24*, 510
refrigerator, *22*, 231
registered land, *22*, 18, 22, 31
rent books, *26*, 406
repairs, *22*, 307, 392, 470
repudiation of landlord's title, *22*, 150; *23*, 140, 287
shop, *25*, 88
temporary provisions, *22*, 332
tenancy agreements and s. 146 of the Law of Property Act, 1925...*24*, 125
variable rents, *21*, 265
water rates, *24*, 439
LANDLORD AND TENANT ACT, 1954,
advertising signs, *23*, 142
amount of rent, *21*, 78; *22*, 152
breach clause, *22*, 148
breach of repairing covenant, *22*, 394
business conducted by manager, *22*, 471
change of landlord, *25*, 245
commencement of new lease, *23*, 155, 231; *24*, 452
common law notices, *23*, 156
compensation, *23*, 11; *26*, 90, 249
competent landlord, *23*, 82, 143
compulsory acquisition, *25*, 83
date of expiry of tenancy, *21*, 77
LANDLORD AND TENANT ACT, 1954—*cont.*
demolition, *21*, 404; *22*, 239; *24*, 326, 520
duration of tenancy, *26*, 235, 317
guarantor, *25*, 246
intention to occupy, *21*, 77; *22*, 395; *23*, 229, 402, 480, 483
illegality, *26*, 330
joint landlords, *21*, 169
landlords' occupation, *26*, 318
lease to avoid, *21*, 257, **723**
licence to avoid, *22*, **771**; *24*, **738**
local authority, *23*, 228
members' club, *21*, 311; *22*, 69
mock auction, *22*, 471
naming wrong respondents, *22*, 306
non-payment of rent, *25*, 82
notice of termination of tenancy, *26*, 6, 159
notice to quit, *24*, 437
opposition to new tenancy, *26*, 160
premises comprised in tenancy, *23*, 482
reconstruction, *21*, 168, 169, 371, 404; *22*, 71, 238; *23*, 66, 482
rent, *26*, 157, 233
request for new tenancy, *26*, 159
reversionary lease, *26*, 78
reversionary tenancy, *24*, 246; *25*, 166
service of notice, *24*, 154, 326
signature of notice, *21*, 483
subtenancies, *23*, 412, 458; *24*, 451; *25*, 244
surrender, *21*, **668**
tenancy at will, *21*, 78
use clauses, *23*, 1, 154
validity of notices, *24*, 168
LANDS CLAUSES ACTS,
application of compensation, *23*, 265
common lands, *23*, 266
conveyances, *23*, 265
copyholds, *23*, 266
entry on lands, *23*, 265
interests not purchased, *23*, 267
intersected lands, *23*, 266
leases, *23*, 267
mortgages, *23*, 266
notices, *23*, 268
penalties, *23*, 268
purchase by agreement, *23*, 263
purchase otherwise than by agreement, *23*, 263
superfluous land, *23*, 267
LAW OF PROPERTY ACT, 1925,
s. 56, benefit to person not named, *23*, 179
s. 146, tenancy agreements, *24*, 125
LEASE,
advertising signs, *21*, 312
agreement as to terms, *24*, 257
assignment by mortgagee, *21*, **738**
avoiding Landlord and Tenant Act, 1954...*21*, 257, **723**

LEASE—*cont.*
confirmation, *25*, **757**
contingent, *24*, 465
costs, *22*, 321
covenant not to assign, *21*, **749**
covenant to observe covenants in head-lease, *25*, 361
creation, *26*, 156
decontrolled premises, *22*, **653**
escrow, *25*, 257, 452
flat, *21*, **671**; *22*, **695**; *23*, **689**; *25*, **764**
forestry, *21*, 259, **698**
income tax, *22*, 411; *24*, 251
Lands Clauses Acts, *23*, 267
lease stone, *24*, 258
licence or, *22*, 69; *24*, 246
limitation of actions, *26*, 81, 316
registered land, *21*, 474; *23*, 120
reversionary, *24*, 462
sale by sub-mortgagees, *25*, **741**
sale by way of, *23*, 301
service of notices, *25*, **765**
split, *25*, 384
stamp duty, *22*, 167
standard clauses, *22*, 249, 326, **760**
to oneself, *25*, 2; *26*, 4
under three years, *25*, 165
use classes, *23*, 1, 154
LEASEHOLD,
agreement for sale of, *26*, **651**
alteration in use, *25*, 177
capital and income, *21*, 307
implied assent, *21*, 167
LEASEHOLD PROPERTY (REPAIRS) ACT, 1938,
assignment, *21*, 392
mortgagee, *21*, 79
LEGITIMACY,
Legitimacy Act, 1959...*23*, 325
LETTERS OF CREDIT,
right to stop, *22*, 159
LICENCE,
construction of drain, *23*, 393
lease or, *22*, 69; *24*, 246
parking of caravan, *21*, **707**
registered land, *22*, 27
revocation, *26*, 471
sporting rights, *25*, 497
to avoid Landlord and Tenant Act, 1954...*22*, **771**; *24*, **738**
LIGHT,
offices, *24*, 424
Rights of Light Act, 1959...*23*, 323
LIMITATION OF ACTIONS,
adverse possession, *22*, 63
lease, *26*, 81, 316
registered land, *21*, 384
trustee, *22*, 390
LOANS,
borrowing control, *23*, 81
sales to, *25*, 179
secured by deposit of shares, *21*, **712**
LOCAL AUTHORITIES,
charities, *24*, 405
costs on sales to, *22*, 84
land transactions, *23*, 96, 340
LONDON,
smoke abatement, *22*, 216
LUNACY,
contract, *25*, 319
settlement of patient's property, *24*, 152

MAINTENANCE,
agreements, *21*, 348; *25*, 218
income tax, *21*, 365
power of, *23*, **675**
MARKETS,
disturbance, *23*, 307
enforcement against owner of land, *26*, 63, 471
MATRIMONIAL PROCEEDINGS,
children, *22*, 323
property and maintenance, *22*, 383
MEDICAL PARTNERSHIPS,
division of patients, *21*, 53
drafting of deeds, *21*, 49
partner outside service, *21*, 52
payment for assets other than goodwill, *21*, 51
restrictions on practice, *21*, 54
sale of goodwill, *21*, 50
superannuation, *21*, 53
MEDICINE,
nurses, trust for prize fund for, *22*, **708**
MENTAL DEFICIENCY,
settlement of patient's property, *24*, 152
MERGER,
rentcharges, *24*, 375
MIDDLESEX DEEDS,
inspection, *26*, 5
MINING LAW,
miners' welfare, *23*, 18, 365
quarrying agreement, *22*, **723**
MISREPRESENTATION,
statement of opinion, *22*, 297
MORTGAGES,
alternative methods of payment, *21*, **756**
assignment by mortgagee, *21*, **738**
attornment clause, *22*, 307
auctioneer instructed by mortgagee, *21*, 68
building society scale, *26*, 87
business and policy, *24*, **654**
by builder, *22*, **712**
companies registration, *22*, 55
conveyance where uncompleted sales, *23*, 85, **654**
deed of enlargement, *22*, **790**
equitable charges, *26*, 445
equity, *24*, 507
housing, *22*, 269
husband and wife, *23*, 136

[*Figures in italics indicate volume numbers.*]
[***Black figures indicate Precedents.***]

MORTGAGES—*cont.*
land charges registration, *22*, 54
Lands Clauses Acts, *23*, 266
Leasehold Property (Repairs) Act, 1938...*21*, 79
leasing powers, *24*, 237; *25*, 429
loan secured by blank transfer, *21*, **712**
local authority, *24*, 69
permission for unauthorised mortgage, *22*, **684**
policy, *23*, **765**
possession, *21*, 68, 229, 230, **385**, 386, 488; *25*, 77, 278; *26*, 150, 391
power of sale, *23*, 138
priorities, *22*, 56
redemption, *25*, 158
registered land, *22*, 22, 31
release of estate, *24*, **685**
release of surety, *22*, **654**
rent restriction, *22*, 87, 149
repayment out of rents, *25*, **658**
sale conditional on, *23*, 302
sale of lease by sub-mortgagees, *25*, **741**
sale of mortgage debt, *22*, **651**
second charge deferring payment of interest, *21*, **686**
shares, *22*, **679**, **684**; *23*, **761**; *25*, **734**
stamp duty, *22*, 53
substituted security, *22*, **781**; *24*, **759**
subrogation, *24*, 431
tacking, *22*, 44
MORTMAIN,
abolition, *24*, 421

NAME AND ARMS CLAUSE,
certainty, *26*, 310
uncertainty, *24*, 323; *25*, 355
NATIONAL INSURANCE,
pension schemes, *24*, 92, **675**
NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE,
rights of way, *21*, 232, 302
NEGLIGENCE,
occupiers' liability, *21*, 340; *22*, 402
solicitor, *21*, 177, 248, 326, 397
NEW STREETS,
architect's liability, *22*, 120
New Streets Act, 1951 (Amendment) Act, 1957...*21*, 346
orders, *23*, 449
NEW TRUSTEES,
power to appoint, *22*, **744**
NOTICE TO QUIT,
agricultural holdings, *22*, 305, 306; *24*, 26, 434
common law notices and business tenancies, *23*, 156
increase of rent, *22*, 232
NUISANCE,
highways, *23*, 355
smoke abatement, *22*, 214

NURSES,
trust for prize fund for, *22*, **708**

OFFICES,
health, safety and welfare, *24*, 338
light, *24*, 424
OPTION,
shares, *26*, **705**
to purchase, *26*, **703**
OPTION IN LEASE,
generally, *25*, 116
OPTION TO DETERMINE,
business tenancies, *23*, 157
OPTION TO PURCHASE,
assignment, *21*, 482
companies, *22*, **783**; *23*, **715**
ecclesiastical law, *24*, 68
failure to register, *24*, 328
on default in payment, *23*, **688**
statutory tenancy, *24*, 437
OPTION TO RE-CUT TURF, *25*, **704**
OPTION TO RENEW,
assignment, *24*, 250
failure to register, *25*, 169
holding over, *24*, 438
perpetuities, *24*, 327
separate written agreement in, *25*, 166, 443
OWNERSHIP,
meaning of, *22*, 33

PARTITION,
registered flats, *23*, **749**
shares, *24*, **737**
PARTNERSHIP,
deed extending existing partnership, *26*, **757**
estate duty, *24*, 440; *25*, 153; *26*, 291
medical, *26*, **657**
PARTY WALLS,
declaration, *22*, **701**
PATENTS,
agreement for marketing products, *22*, **657**
PENSIONS,
national insurance, *24*, 92
scheme, *23*, **715**; *24*, 165, **675**
PERPETUITIES,
accumulations, *21*, 295
advancement, *22*, 300; *23*, 396, 423; *25*, 353
charities, *24*, 153
determinable interests, *21*, 213
discretionary trusts, *21*, 63; *22*, 145; *26*, 461
easement, *25*, 351, 415; *26*, 3
law reform, *21*, 2
lease, *24*, 327
power of appointment, *26*, 27
will, *26*, 76
PERSONAL REPRESENTATIVES,
contract for sale by, *22*, 83
office of, assignability of, *22*, 469

[*Figures in italics indicate volume numbers.*]
[*Black figures indicate Precedents.*]

PETROLEUM,
sales agreement, *22*, 324
PLANNING. *See* TOWN AND COUNTRY PLANNING.
PLANS,
registered land, *23*, 110
POWER OF APPOINTMENT,
bankruptcy, *26*, 37
classification, *26*, 25
conflict of laws, *26*, 69
delegation, *26*, 38
fraud, *26*, 39
hybrid power, *22*, 298
perpetuities, *26*, 27
residuary gift, *21*, 233; *22*, 67
Scottish will, *22*, 144
special power, *21*, 305
trust, *26*, 92, 392
trustee going abroad, *25*, **681**
will, *26*, 30
POWER OF ATTORNEY,
by company, *26*, **681**
mortgage of shares, *22*, **681**
to execute conveyance, *22*, **722**
PREFERENCE SHARES,
capital rights, *26*, 115
PRELIMINARY INQUIRIES,
form of, *21*, 255; *25*, 336, **744**; *26*, 2
repetition as requisitions, *23*, 153
PREMIUMS,
lease of flat, *23*, **689**
sale at undervalue, *24*, 156
PRIORITY NOTICES,
national conditions of sale, *23*, 304
PRIVATE STREET WORKS,
adoption of street, *21*, 425
contribution and apportionment, *21*, 418
enforcement of liability, *21*, 424
final apportionment, *21*, 424
greater hardship, *21*, 432
improvements, *21*, 431
making up in stages, *21*, 418
objectors, *21*, 419
Public Health Act, 1875...*21*, 416
sewering, *21*, 421
street widening, *21*, 417
PROBATE,
administration scale costs, *23*, 409
PROFITS TAX,
bonus shares, *22*, 463
Finance Act, 1958...*22*, 362
Finance Act, 1959...*23*, 417
trading loss, *21*, 246
PROTECTIVE TRUSTS,
bankruptcy, *21*, 110
forfeiture, *22*, 227
variation of settlement, *22*, 302
PUBLIC AUTHORITIES,
judicial control, *21*, 202
PUBLIC HEALTH,
smoke control, *22*, 210
PURCHASE-MONEY,
unpaid, liability of devisee for, *22*, 304
PURCHASE TAX,
Finance Act, 1957...*21*, 357
Finance Act, 1958...*22*, 348

QUARRIES,
agreement, *22*, **723**
QUIET ENJOYMENT,
covenant for, *22*, 231, **696**, **706**, **707**; *23*, **694**; *24*, 435

RAILWAYS,
lease of wayleave rights, *22*, **703**
repair of highways, *21*, 232; *22*, 64
right of way, *21*, 302
RATES,
covenant to pay, *23*, **692**, **695**
water rates, *24*, 439
RATING,
advertising, *25*, 215
appeals, *25*, 311
area, *25*, 199
assessment, *25*, 97, 100
charities, *24*, 74
comparative method of valuation, *25*, 198
contractor's test, *25*, 197
evidence of value, *25*, 105
factories, *25*, 214
flats, *24*, 331; *25*, 3, 207
golf course, *24*, 331
gross value, *25*, 97
houses, *25*, 203
local valuation courts, *25*, 305
methods of valuation, *25*, 196
net annual value, *25*, 98
output basis, *25*, 198
postponement of new lists, *23*, 243
profits basis, *25*, 198
rateable hereditaments, *25*, 95
rateable value, *25*, 99
Rating and Valuation Act, 1957...*21*, 254
rent, *25*, 25
rent restriction, *22*, 234
repairs, *25*, 104
service of notices, *25*, 313
shops, *25*, 210
valuation lists, *25*, 94
valuation procedure, *25*, 296
RECITALS,
administration of estate, *22*, **746**
advances, *22*, **746**
agreement for exchange, *22*, **778**
agreement for loan, *22*, **680**, **684**
agreement for release, *24*, **771**
agreement for sale, *24*, **778**; *26*, **755**
agreement for sale and apportionment of purchase money, *24*, **774**
agreement with mortgagee, *25*, **721**
agreement with tenant, *25*, **721**

RECITALS—*cont.*
assignment of part of premises, *24*, **777**
by-law approval, *21*, **651**
certificate as to duty, *24*, **770**
consent to lease of wayleave rights, *22*, **704**
consideration for settlement, *23*, **687**
construction of siding, *22*, **703**
conversion into flats, *25*, **720**
conveyance, *22*, **777**; *23*, **687**; *25*, **702**
death and probate, *22*, **746**
deed of enlargement, *24*, **777**
deposit of certificates, *22*, **680**
desire to convey to trustees, *25*, **701**
desire to divide, *24*, **769**
devolution of lease, *24*, **777**
existing wayleave rights, *22*, **704**
intent to dispose of flats, *25*, **720**
intention to create building scheme, *23*, **690**
lease, *24*, **776**
legal charges, *21*, **656**
loss of lease, *24*, **777**
mortgage, *22*, **777**
planning permission, *21*, **651**
policy, *26*, **717**
seisin, *26*, **755**
seisin and agreement for sale, *26*, **721**
settlor's present children, *22*, **738**
state of mortgage debt, *22*, **778**
suretyship, *21*, **656**
surviving children, *22*, **746**
title, *21*, **651**, **656**, **744**; *22*, 140, **679**, **703**; *23*, **685**, **769**, **772**; *25*, **700**, **720**
transfer of investments, *22*, **684**, **738**
valuation, *22*, **746**; *24*, **770**
will, *22*, **745**
RECTIFICATION,
covenant in lease, *22*, 393
registered land, *25*, 236
RE-ENTRY,
proviso for, *23*, **696**
REGISTERED LAND,
absolute leasehold title, *23*, 122; *24*, 86
acknowledgment for production, *23*, 115
address of registry, *21*, 328; *22*, 166, 410; *24*, 85, 453; *25*, 371, 452
adjudication of stamp duty, *21*, 476
agreements for leases, *22*, 18, 22
appeals, *25*, 349
appurtenances, *23*, 114
bare trusts, *22*, 24
boundaries, *21*, 162, 477
building estates, *23*, 321
cancellation of notice of control of sale, *21*, 473
cancellation of notice of unregistered rentcharge, *24*, **753**
centenary, *26*, 169
charge by way of substituted security of rentcharge, *24*, **759**
REGISTERED LAND—*cont.*
companies, *23*, 118; *26*, 408
compulsory areas, *21*, 92, 328; *22*, 3; *23*, 241; *25*, 4, 261; *26*, 1, 165, 406
developing building estates, *23*, 111; *24*, 338
easements, *21*, 471; *26*, 226
enlargement of leaseholds, *22*, 118
equitable easements and profits *à prendre*, *22*, 27
equitable interests, *22*, 14
equitable licences, *22*, 27
equitable mortgages, *22*, 22, 31
escrow, *25*, 134
extinguishment of rentcharge, *24*, 375
fees, *26*, 165
first registration, *21*, 90
flats, *21*, 460; *24*, 484
forms of instruments, *23*, 113
grant of rentcharge, *24*, **733**, **763**
grant of right of way, *24*, **670**
identity of property, *23*, 330
inadequacy, *25*, 91
indemnity covenants, *21*, 472
inefficiency of registered conveyancing, *22*, 319
joint proprietors, *23*, 114
land charges, *23*, 117
leases, *21*, 474; *23*, 126; *24*, 495
notice and knowledge, *22*, 129
overriding interests, *21*, 385; *22*, 18
partition of block of flats, *23*, **749**
personal searches, *23*, 116
photographic copies, *22*, 83
plans, *23*, 110; *24*, 85
positive covenants, *21*, 472
possession under trusts, *22*, 19
post-registration of dispositionary leases, *23*, 120
public index map, *23*, 119
rectification, *25*, 236
rentcharges, *23*, 125; *24*, 8, 101, 211, 259, 375
reports, *21*, 401; *22*, 409; *24*, 452; *25*, 449; *26*, 405
restrictive covenants, *21*, 470
sale of flats, *25*, **720**
searches on behalf of purchaser and chargee, *21*, 475
settled land and trusts for sale, *22*, 22
statutory declaration as to lost certificate, *25*, **653**
sub-lease, mortgage of head lease joining in, *25*, **720**
sub-sales and resales, *21*, 469
time for searches, *21*, 403
title shown procedure, *23*, 326
Torrens system, *26*, 251
transfer for benefit of infant, *25*, **717**
transfer in consideration of rentcharge, *24*, **699**, **707**, **754**
transfer of flat, *24*, **743**

[*Figures in italics indicate volume numbers.*]
[*Black figures indicate Precedents.*]

REGISTERED LAND—*cont.*
transfer of rentcharge, *24*, **730–732**
transfer of roads, *26*, **674**
transfer subject to rentcharge, *24*, **703**, **705**, **711**, **761**, **766**, **768**
RELEASE,
executors, *22*, **747**
mortgagee, *24*, **685**
one of several sureties, *21*, **656**
rentcharge, *24*, 375
remainder by tenant for life, *23*, **759**
trustees, *24*, **769**
RENT,
agricultural holdings, *24*, 179
apportionment, *26*, 287
covenant to pay, *23*, **692**
forfeiture, *26*, 232, 399
income tax, *26*, 85
rating, *25*, 25
stamp duty, *26*, 85
time payable, *25*, 442
variable, *23*, **707**; *24*, **665**
RENT RESTRICTION,
abatement for disrepair, *22*, 5
adjustments in respect of services and furniture, *21*, 429, **727**, **728**
agreement as to rateable value, *21*, **732**
agreement giving security of tenure, *21*, **726**
agricultural cottage, *25*, 513
alternative accommodation, *21*, 299, **725**
application for certificate of disrepair, *22*, 7
arrears of rent, *22*, 68, 159
breach of undertaking, *22*, 11
business premises, *22*, 235; *23*, 141
cancellation of certificate of disrepair, *22*, 10
certificate of disrepair, *22*, 8
charge of parties, *22*, 13
dates under Rent Act, 1957...*21*, 253
death of tenant, *21*, 240, 481
decontrol, *21*, 262; *23*, 231, 484; *26*, 321
existing certificates of disrepair, *22*, 12
false evidence, *21*, 241
fitness for habitation, *21*, 393
furnished houses, *26*, 82
furnished premises, *21*, 242, 243
furniture and fittings, *23*, 323
greater hardship, *21*, 330; *22*, 237
house required for daughter, *22*, 238
improvements, *21*, 430
increase of rent, *25*, 169
internal decorative disrepair, *21*, 331
landlord by purchase, *21*, 329
landlord's undertakings, *22*, 6, 7
lease of decontrolled premises, *22*, **653**
local authority's proposal notice, *22*, 7
mortgages. *22*, 87
non-occupying tenant, *25*, 170
RENT RESTRICTION—*cont.*
notice of increase, *21*, 337
notice to quit, *22*, 307
order for possession in absence of tenant, *21*, 241
premium, *22*, 98, 149, 233, 396; *23*, 401; *24*, 156
private street works, *21*, 431
rateable value, *22*, 234
rates, *21*, 427
Rent Act, 1957...*21*, 260, 329; *22*, 252
rent less than two-thirds rateable value, *21*, 167
rent limits, *21*, 261, 332, 427, **732**; *22*, 236; *23*, 63
repairs, *22*, 70
restrictions on possession, *22*, 336
service tenancy, *21*, 76
sub-tenancies, *22*, 12; *24*, 247; *25*, 362, 512
surrender, *23*, 144
suspension orders, *22*, 341
temporary provisions, *22*, 332
tenancy granted by beneficiary, *22*, 67
tenant's defects notice, *22*, 5
withdrawal of proposal notice, *22*, 83, 319
RENTCHARGES,
adverse possession, *24*, 382
cancellation, *24*, **753**
charge by way of substituted security, *24*, **759**
extinguishment, *24*, 375
grant of, *24*, **733**, **763**
merger, *24*, 376
redemption, *24*, 378
re-entry, *24*, 380
registered land, *23*, 125; *24*, 8, 101, 211, 259, 375
release, *24*, 375
restrictive covenants, *24*, 388
transfer in consideration of, *24*, **699**, **707**, **754**
transfer of, *24*, **730–732**
transfer subject to, *24*, **703**, **705**, **711**, **761**, **766**, **768**
war damage, *24*, 386
REPAIRS,
agricultural holdings, *24*, 288
covenant as to, *23*, **693**, **694**
demolition, *24*, 157
diminution of value of reversion, *24*, 248
leave to proceed, *23*, 64
reinstatement, *26*, 319
statutory covenants, *26*, 132, 187
structural repairs, *23*, 83, 144, 311
weekly tenancy, *23*, 484
windows, *23*, 83, 144
REQUISITIONING,
Crown lease, *24*, 435
Requisitioned Houses Act, 1960...*24*, 166

[*Figures in italics indicate volume numbers.*]
[*Black figures indicate Precedents.*]

REQUISITIONS,
development value, *25*, 87
failure to reply to, *26*, 224
preliminary inquiries repeated as, *23*, 153
RESCISSION,
right of, *24*, 58
RESTRICTIVE COVENANTS,
alcohol, *21*, 13
annexation, *26*, 306
annexation of benefit, *21*, 386; *25*, 430
change of user, *21*, 12, 13
churches and church halls, *21*, 16
compensation not awarded by tribunal, *21*, 10
costs, *21*, 17, 387
court or tribunal, *21*, 18
crowds, *21*, 14
declaration that land no longer affected, *21*, 231
density, *21*, 13
discharge, *21*, 6
discharge or modification, *26*, 308
discretion of tribunal, *21*, 8
enforceability, *26*, 298
extinguishment of rentcharge, *24*, 388
flats, *21*, 6
modification, *21*, 6, 479
mental defectives, *21*, 15
national conditions of sale, *23*, 304
new construction, *21*, 12
noises, *21*, 14
notices, *21*, 20, 22
objectors, *21*, 20, 387
ownership, *22*, 33
planning, *21*, 23
proposed user not causing disturbance, *21*, 16
registered land, *21*, 470
running with land, *25*, 433
smells, *21*, 14
temporary modification, *21*, 9
RESTRICTIVE PRACTICES,
notice of condition, *21*, 249; *22*, 404
RESULTING TRUST,
charities, *22*, 145
surtax, settlement on children, *21*, 244
RETIREMENT BENEFITS,
annual premium contracts, *21*, 118
Law Society, *21*, 1
return of premiums, *21*, 119
reversionary annuities, *21*, 118
self-employed, *21*, 117
single premium contracts, *21*, **118**
with profit contracts, *21*, 117
RIBBON DEVELOPMENT,
restriction of, *23*, 452
RIGHT OF WAY,
damage, *25*, 160
mutual grant, *24*, **725**
public, *21*, 232, 302
registered land, *24*, **669**
way of necessity, *24*, 205
ROAD CHARGES,
flats, *21*, 178, 256

SALE OF GOODS,
memorandum, *22*, 137
SCHOOL SITES,
reverter, *24*, 319
SEARCHES,
registered lands, *23*, 116
SERVICE AGREEMENT,
managing director, *21*, **752**
SETTLED LAND,
leasing powers, *25*, 509
permission for unauthorised mortgage, *22*, **688**
power of advancement, *22*, **776**
registered land, *22*, 22
sale by executor of tenant for life, *23*, 360; *24*, 43, 314
SETTLEMENTS,
Bahamian settlement, *23*, 198, **666**
by widower, *26*, **690**
by widower on remarriage, *25*, **708**
children, *22*, **737**; *24*, **688**
class gift, *25*, 162
consent of protector, *23*, **683**
educational policies, *24*, **672**
estate duty, *26*, 323
grandchildren, *21*, **772**
income of shares, *24*, **779, 784**
income tax, *25*, 171; *26*, 322
income under invalid settlement, *23*, **746**
insurance policy, *26*, **717**
lunacy, *24*, 152
male issue, *25*, 437
on trusts of existing settlement, *21*, **743**
revocable, *22*, 221
standard clauses, *22*, 387, **750**
surtax, *21*, 244, 314
variation, *22*, 229, 302, 389; *23*, 308, 310; *26*, 69, 230, 393
SHOPS,
rating, *25*, 210
SMOKE ABATEMENT,
clean air, *22*, 210
SOLICITORS,
agreement to employ assistant, *23*, **651**
charging clause, *22*, **743**; *23*, 60, 399
conveyancing costs, *21*, 93
High Court costs, *24*, 5
maintenance proceedings, *22*, 250
services, *25*, 258
tax planning, *22*, 250
undertakings, *25*, 259
wills, duty as to, *21*, 177, 248, 326, 397; *23*, 225
SPECIFIC PERFORMANCE,
absence of written evidence, *24*, 55
costs, *23*, 392
delay, *21*, 66; *24*, 149
misdescription, *21*, 67

[*Figures in italics indicate volume numbers.*]
[*Black figures indicate Precedents.*]

SPECIFIC PERFORMANCE—*cont.*
power to convey, *26*, 329
transfer to controlled company, *26*, 153
SPORTING RIGHTS,
lease or licence, *25*, 497
STAMP DUTIES,
adjudication, registered land, *21*, 476
agreement for sale of turf, *25*, 704
agreement not to sell except with vacant possession, *22*, 663
certificate of value, *26*, 250
companies, *21*, 172
conveyances, *22*, 167, 218, 244; *25*, 174, 700
deed of family arrangement, *24*, 666
discounting of hire-purchase, *24*, 712
enlargement of leaseholds, *22*, 118
exchange, *26*, 401
Finance Act, 1958...*22*, 372
Finance Act, 1959...*23*, 417
grant of right to construct footings, *26*, 698
leases, *22*, 167
marriage settlement, *26*, 690
mortgages, *22*, 53
option to purchase, *23*, 715
oral direction to trustees, *22*, 157, 311
purchase of reversion, *22*, 156, 312
registered land, *26*, 166
rent, *26*, 85
securing immediate benefit from reductions, *22*, 224
transfer, *26*, 166
trust deed, *26*, 683
STATUTE OF FRAUDS,
goods or land, *22*, 137
joinder of documents, *22*, 275
sale of land, *22*, 61
trusts of equitable interests in personalty, *22*, 141, 301
STATUTORY DECLARATION,
in support of deed of enlargement, *22*, **792**
lost land certificate, *25*, **653**
missing deeds, *26*, **693**
missing title deeds, *22*, **788**
no severance of joint tenancy, *21*, **691**
SUPPORT,
right of, *26*, 210
SURRENDER,
agricultural holdings, *24*, 371
agricultural lease, *25*, **651**
current tenancy, *21*, **668**
flats, *26*, **679**
life interest, *22*, 398
remainder, *23*, **759**
SURTAX,
annual payment, *26*, 324
bonus shares, *21*, 245; *22*, 464
directions, *21*, 327; *23*, 405
Finance Act, 1957...*21*, 362
Finance Act, 1959...*23*, 414
investment company, *21*, 171; *22*, 155
SURTAX—*cont.*
release of power of revocation, *22*, 73
settlement on children, *21*, 244, 314, 486; *22*, **737**; *24*, **688**

TENANT FOR LIFE,
sale by executor of, *23*, 360; *24*, 43, 314
surrender of remainder, *23*, **759**
TENANTS IN COMMON,
conveyance where assignment to, *25*, **747**
TITHES,
Tithe Redemption Office, *24*, 168
TITLE DEEDS,
missing, *22*, **788**
TOWN AND COUNTRY PLANNING,
alternative development, *23*, 93
caravan sites, *25*, 16
change of use, *26*, 241
compensation, *21*, 388; *22*, 177
comprehensive development, *23*, 93
conditional permission, *23*, 485; *25*, 249
consultation with planning authority before purchase, *24*, 257
contravening development, *22*, 178
control of development, *25*, 20
declaration as to need for permission, *22*, 313; *23*, 486
determination of need for permission, *26*, 14
development charge, *23*, 71
development value, *22*, 76
enforcement notice, *21*, 174, 180, 248, 395; *22*, 75, 314, 452; *23*, 72, 235, 343, 408; *24*, 253, 443; *25*, 516; *26*, 83, 480, 481
estoppel, *25*, 515
existing permissions, *22*, 179
highways, *23*, 452
illegality, *25*, 82; *26*, 374
increase in number of caravans, *23*, 236
injunction, *22*, 315
inquiry as to amenity, *23*, 407
minutes of committee, *26*, 479
mobile hopper, *26*, 480
obligation to purchase, *23*, 100, 344
open land, *25*, 88
operational land of statutory undertakers, *21*, 395
permitted use, *25*, 406
person aggrieved, *25*, 250
planning applications, *23*, 99, 341
planning blight by road schemes, *24*, 1, 336
protection notices, *22*, 177
purchase notices, *23*, 72, 99, 341; *24*, 443; *26*, 241
refusal, whether equivalent to acquisition, *24*, 252
requisitioned property, *25*, 87
restrictive covenants, *21*, 23

TOWN AND COUNTRY PLANNING—*cont.*
resumption of permitted use, *22*, 314
sale of caravans, *24*, 442
scrap metal sorting, *25*, 515
temporary buildings, *23*, 72
use and title, *26*, 269
valuation, *23*, 216
withdrawal of permission, *21*, 394
TRADE EFFLUENTS,
agreement, *25*, 38, **662**
TRADE UNIONS,
charitable trust, *25*, 439
TRESPASS,
advertising sign, *21*, 312
vacant land, *25*, 509
TRIBUNALS,
procedure, *26*, 331
TRUST,
agreement to convey beneficial interest, *24*, 70
breach, *26*, 66
complied, *23*, 310
church organ, *26*, **683**
courts' power to deal with interest of infants, *21*, 448
creation of equitable interests in personalty, *22*, 141, 301
discretionary, *26*, 100
following trust moneys, *22*, 390; *23*, 55
for paying debts, *21*, 280
for sale, *25*, 90
investment, *26*, 65, 351, **705, 715**
power, *26*, 92, 392
uncertainty, *21*, 71, 303, 306; *25*, 241
variation, *22*, 373; *23*, 221, 310, 398, 433; *25*, 79, 163, 241–243, 436; *26*, 64, 66, 229, 231, **702**
writing, *24*, 69
TRUST CORPORATION,
executor, *22*, 469
TRUST FOR SALE,
conveyance on, *23*, **685**
discretion to order sale, *24*, 240
registered land, *22*, 22
TRUSTEE,
appointment of new, *23*, **680**, **686**, **689**
control of powers, *23*, **681**
costs, *22*, 228; *26*, 394
custodian trustee, *24*, 196
delegation, *23*, 396, 423
investments, *25*, 372, 451
proceedings by, *24*, 72
remuneration, *22*, **757**; *23*, **679**; *26*, 232, 394
vendor and purchaser, *23*, 173
TURF,
sale, *25*, **704**

UNDUE INFLUENCE,
engaged couple, *26*, 70
wills, *23*, 61

VALUATION,
easements, *23*, 214
electricity supply, *23*, 219
freeholds, *23*, 206
leaseholds, *23*, 208
local Acts, *23*, 217
new buildings, *23*, 219
plant and machinery, *23*, 218
Schedule A tax, *23*, 218
town and country planning, *23*, 216
underleases, *23*, 211
war damage, *23*, 219
years' purchase, *23*, 204
VENDOR AND PURCHASER,
loss of deposit, *23*, 84, 154
misdescription, *26*, 474
reletting, *23*, 134
summons, *25*, 90
vendor as trustee, *23*, 173
VESTING DEED,
land sold and further land bought with capital money, *25*, **759**

WAGES,
accounts, *26*, 109, 294
payment, *24*, 337
WAR DAMAGE,
builders' estimate, *21*, 396
rentcharges, *24*, 386
valuation, *23*, 219
WATER,
sale of flats, *24*, 450
WAYLEAVES,
lease of rights as to siding, *22*, **703**
WILLS,
absolute gift, *21*, 166, 220; *23*, 62
acceleration, *21*, 308, 480
accruer, *21*, 74, 224; *25*, 80
ademption, *21*, 70, 73
adoption, *21*, 237, 391
attached sheets, *24*, 325
attestation, *25*, 358
attesting witness, *23*, 60, 399
beneficiary en ventre sa mère, *26*, 77
bequest of business, *25*, **694**
bonus shares, *25*, 440
business, bequest of, *22*, 229
businessman, of, *24*, **734**
charging clause, *23*, 60, 399
class gifts, *21*, 237, 391
commorientes, *22*, 1
condition precedent, time not of the essence, *23*, 225
conflict of laws, *25*, 81, 243
construction by probate court, *22*, 148
continuance of service tenancy, *24*, **725**
cumulative or substitutional gifts, *21*, 391; *23*, 399
dependent relative revocation, *24*, 324
family provision, *26*, 478
general power, residuary bequest, *22*, 67

[*Figures in italics indicate volume numbers.*]
[*Black figures indicate Precedents.*]

WILLS—*cont.*
gift to brothers in enemy territory, *21*, **741**
gift to children and their children, *21*, **693**
interests postponed after majority, *21*, 293
intestate successors, *21*, 306
joint charge on several properties, *22*, 469
liability for unpaid purchase-money, *22*, 304
legacies charged on lapsed share, *23*, 139
moneys in the bank, *25*, 165
of married man, *25*, **738**
omission, *21*, 308; *26*, 238
partial intestacy, *23*, 400
partial revocation, *23*, 103
payment to servant, *22*, **694**
perpetuities, *26*, 76
WILLS—*cont.*
postponement till 25...*21*, **715**
power of appointment, *26*, 30
providing for wife and daughter, *24*, **661**
residence for wife, *24*, **722**
sailor, *26*, 397
setting up old peoples' home, *26*, **654**
shares, bequest of, *21*, 70
signature, *22*, 303; *24*, 245
soldiers', **22**, 302
solicitor's duty, *21*, 177, 248, 326, 397; *23*, 225
survivor, *26*, 398
survivorship, *24*, 74, 75
undue influence, *23*, 61

YOUTH CENTRE,
trust deed for, *26*, **739**

[*Figures in italics indicate volume numbers.*]
[*Black figures indicate Precedents.*]

BIBL. LONDIN. UNIV.

THE CONVEYANCER & PROPERTY LAWYER

UNIVERSITY OF LONDON
15 FEB 1962
LIBRARY

Vol. 26, No. 1 January–February 1962

EDITORS

MAGAZINE:
EDWARD F. GEORGE, LL.B.,
Solicitor of the Supreme Court

PRECEDENTS:
ERNEST H. SCAMELL, LL.M.,
of Lincoln's Inn, Barrister-at-Law

ARTICLES

CONVEYANCER'S NOTEBOOK 1

NOTICES OF TERMINATION OF BUSINESS TENANCIES ... Edward F. George 6

DETERMINATION OF THE NEED FOR PLANNING PERMISSION
Gabriele Ganz and Alec Samuels 14

THE CLASSIFICATION OF POWERS OF APPOINTMENT ... A. D. Hughes 25

BREVITY *v.* VERBOSITY ... ... M. J. Russell 45

NOTES OF RECENT CASES 63

LIBRARY 84

PRECEDENTS

See List Overleaf

SWEET & MAXWELL

PRECEDENTS

Agreement for sale of leasehold property, where the Vendor has been for twelve years in receipt of the rents under sub-tenancies adversely to the true owner and his mortgagee 651

Will providing for the setting up of an Old Persons' Home 654

Supplemental Deed of Partnership between medical practitioners providing for the professional accommodation 657

TABLE OF CASES NOTED

Bowes-Lyon *v.* Green, 78
Clarke's Will Trusts, *Re*, 66
Cooper's Settlement, *Re*, 64
Edwick *v.* Sunbury-on-Thames U.D.C., 83
Kolb's Will Trusts, *Re*, 65
Langley's Settlement Trust, *Re*, 69
Matthews' Will Trusts, *Re*, 75
Neville Estates, Ltd. *v.* Madden and Others, 72
Pauling's Settlement Trusts, *Re*, 66
Petrie, *Re*, 76
R. *v.* Paddington and St. Marylebone Rent Tribunal, *ex. p.* Haines, 82
St. Marylebone Property Co., Ltd. *v.* Fairweather, 81
Smith's Will Trusts, *Re*, 74
Stern's Will Trusts, *Re*, 77
Wyld *v.* Silver, 63
Young *v.* Young (No. 1), 69
Zamet *v.* Hyman, 70

EDITORIAL NOTE

Subscribers and others are invited to submit for consideration by the Editor of the Journal articles or letters on matters of interest to the profession. Any useful or unusual precedents will also be welcome for publication in the Supplement. All communications should be addressed to THE EDITOR, THE CONVEYANCER AND PROPERTY LAWYER, 11 NEW FETTER LANE, E.C.4.

CONTRIBUTIONS *or* MS. *forwarded for insertion in the publication must be sent at the reader's risk; every attempt will be made to return drafts or unsuitable copy, but no guarantee can be given in this respect. The views expressed by contributors are not necessarily those of the Editors who neither accept responsibility for the accuracy of statements appearing in the publication nor undertake themselves to reply to queries. Unsigned contributions are not necessarily of editorial authorship.*

Six Parts a year. Parts 12s. 6d. each. Subscription for 1962 £2 10s. post free.